

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on February 12, 2015 at 8:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Elsie Arntzen, Vice Chair (R)
Sen. Dee Brown (R)
Sen. Pat Connell (R)
Sen. Tom Facey (D)
Sen. Cary Smith (R) (arrived after roll call)
Sen. Sharon Stewart-Peregoy (D) (arrived after roll call)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Jameson Walker, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 234, 2/4/2015; HB 53, 2/4/2015; HB 90, 2/4/2015

Executive Action: HB 80, HB 95, SB 23, SB 24, SB 25, SB 162, SB 196, SB 208, SB 244, SB 241

HEARING ON HB 53

Opening Statement by Sponsor:

00:02:10 Rep. Andrew Person (D), HD 96, opened the hearing on HB 53. Permit discounts to military or veterans by property/casualty insurers.

Proponents' Testimony:

00:04:47 Jesse Laslovich, Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI)
00:05:26 Gary White, American Legion of Montana
00:05:52 Merv Gunderson, American Legion of Montana
00:06:41 Jim Higgins, Montana National Guard Enlisted Officers
00:07:39 Mike Clouse, Department of Montana Disabled American Veterans
00:08:50 Jacqueline Lenmark, American Insurance Association (AIA); also speaking for Bruce Spencer, Property Casualty Insurers Association of America, Dwight Easton, Farmers Insurance Group; Greg Van Horssen, State Farm Insurance

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:49 Sen. Connell
00:10:15 Ms. Lenmark, AIA (redirect)
00:11:38 Rep. Person

Closing by Sponsor:

00:12:00 Rep. Person
00:12:20 Chairman Buttrey

HEARING ON SB 234

Opening Statement by Sponsor:

00:12:33 Sen. Fred Thomas (R), SD 44, opened the hearing on SB 234. Revise tax and fees for professional liability insurance.

EXHIBIT(bus32a01)

Proponents' Testimony:

00:22:20 David Bell, Attorneys Liability Protection Society (ALPS)

Chairman Buttrey left the hearing and Vice Chair Arntzen assumed the position of Chair.

00:26:18 Jesse Laslovich, Office of the Commissioner of Securities and Insurance,
Montana State Auditor (CSI)
00:29:58 Webb Brown, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

00:30:37 Bruce Spencer, State Bar of Montana

Questions from Committee Members and Responses:

00:31:55 Sen. Smith
00:33:19 Mr. Laslovich
00:33:43 Sen. Brown
00:35:42 Mr. Laslovich
00:36:41 Sen. Facey
00:37:10 Sen. Thomas (redirect)
00:38:47 Mr. Bell, ALPS
00:40:19 Sen. Facey
00:42:29 Sen. Thomas
00:42:57 Vice Chair Arntzen
00:43:07 Sen. Vuckovich
00:43:12 Sen. Thomas
00:43:52 Sen. Whitford
00:47:07 Mr. Laslovich (redirect)
00:47:21 Mr. Bell
00:48:09 Sen. Brown
00:48:33 Mr. Laslovich
00:49:05 Sen. Smith
00:49:25 Mr. Laslovich

Closing by Sponsor:

00:50:09 Sen. Thomas
00:53:19 Vice Chair Arntzen

Sen. Buttrey entered the hearing and assumed the position of Chair.
Sen. Vuckovich left the hearing.

HEARING ON HB 90

Opening Statement by Sponsor:

00:53:32 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 90. Revise workers' compensation laws.

Proponents' Testimony:

00:55:00 Diana Ferriter, Department of Labor and Industry (DLI)

EXHIBIT(bus32a02)

00:59:37 Bob Worthington, Labor Management Advisory Council (LMAC)

01:00:08 Lonny Olson, Montana Trial Lawyers

01:02:02 Nancy Butler, Montana State Fund

01:02:19 Jacqueline Lenmark, American Insurance Association; also speaking for Bruce Spencer, Property Casualty Insurers Association of American; Dwight Easton, Farmers Insurance Group

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:03:09 Sen. Facey

01:07:23 Ms. Ferriter, DLI

01:07:40 Chairman Buttrey

01:09:09 Ms. Ferriter

01:09:39 Sen. Facey

01:10:09 Chairman Buttrey

Closing by Sponsor:

01:10:50 Rep. Olson

01:11:00 Chairman Buttrey

01:11:43 Recess

01:37:05 Reconvene

EXECUTIVE ACTION ON HB 80

01:37:15 **Motion:** Sen. Arntzen moved that **HB 80 BE CONCURRED IN.**

Discussion:

01:37:34 Chairman Buttrey

01:37:42 Jamison Walker, Legislative Services Division (LSD)

01:37:46 Sen. Facey

01:38:19 **Vote:** Motion carried 8-1 by voice vote with Sen. Stewart-Peregoy voting no. Sen. Vuckovich was excused. Sen. Vuckovich will carry the bill.

EXECUTIVE ACTION ON HB 95

01:38:47 **Motion:** Sen. Arntzen moved that **HB 95 BE CONCURRED IN.**

01:39:01 Mr. Walker, LSD
EXHIBIT(bus32a03)

01:39:17 **Motion:** Sen. Arntzen moved that **HB 95 BE AMENDED.**

Discussion:

01:39:27 Mr. Walker

01:40:22 **Vote:** Motion carried 9-0 by voice vote of those present and voting.

01:40:37 **Motion:** Sen. Arntzen moved that **HB 95 BE CONCURRED IN AS AMENDED.**

Discussion:

01:40:50 Chairman Buttrey

01:41:41 Sen. Brown

01:42:37 Chairman Buttrey

01:43:16 **Vote:** Motion carried 6-4 by roll call vote with Sen. Arntzen, Sen. Brown, Sen. Smith and Sen. Vance voting no. Sen. Vuckovich voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON SB 23

01:44:40 **Motion:** Sen. Arntzen moved that **SB 23 DO PASS.**

01:44:59 Mr. Walker
EXHIBIT(bus32a04)

01:45:44 **Motion:** Sen. Arntzen moved that **SB 23 BE AMENDED.**

Discussion:

01:45:54 Mr. Walker

01:46:36 **Vote:** Motion carried 9-0 by voice vote of those present and voting.

01:46:49 **Motion:** Sen. Arntzen moved that **SB 23 DO PASS AS AMENDED.**

01:47:04 **Substitute Motion/Vote:** Sen. Stewart-Peregoy made a substitute motion that **SB 23 BE TABLED.** Substitute Motion carried 8-2 by roll call vote with Sen. Arntzen and Sen. Smith voting no. Sen. Vuckovich voted by proxy.

EXECUTIVE ACTION ON SB 24

01:48:26 **Motion:** Sen. Arntzen moved that **SB 24 DO PASS.**

01:48:45 Mr. Walker
EXHIBIT(bus32a05)

01:49:10 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **SB 24 BE TABLED.** Substitute Motion carried 7-3 by roll call vote with Sen. Arntzen, Sen. Buttrey and Sen. Smith voting no. Sen. Vuckovich voted by proxy.

EXECUTIVE ACTION ON SB 25

01:50:45 **Motion:** Sen. Arntzen moved that **SB 25 DO PASS.**

01:51:22 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **SB 25 BE TABLED.** Substitute Motion carried 8-2 by roll call vote with Sen. Arntzen and Sen. Smith voting no. Sen. Vuckovich voted by proxy.

Sen. Vuckovich entered the hearing.

EXECUTIVE ACTION ON SB 162

01:52:14 **Motion:** Sen. Arntzen moved that **SB 162 DO PASS.**

Discussion:

01:53:05 Sen. Facey
01:53:47 Sen. Connell
01:55:05 Chairman Buttrey
01:55:36 Sen. Arntzen

01:56:28 **Substitute Motion/Vote:** Sen. Facey made a substitute motion that **SB 162 BE TABLED.** Substitute Motion failed 4-6 by roll call vote with Sen. Arntzen, Sen. Buttrey, Sen. Connell and Sen. Facey voting aye.

Discussion:

01:58:13 Sen. Brown
01:58:36 Sen. Stewart-Peregoy
01:59:11 Chairman Buttrey
02:00:18 Sen. Connell
02:00:56 Sen. Arntzen
02:02:07 Sen. Facey
02:02:32 Chairman Buttrey

02:02:36 **Vote:** Motion failed 4-6 by roll call vote with Sen. Brown, Sen. Smith, Sen. Stewart-Peregoy and Sen. Vance voting aye.

02:02:59 **Motion/Vote:** Sen. Facey moved that **SB 162 BE TABLED**. Motion carried 9-1 by voice vote with Sen. Stewart-Peregoy voting no.

EXECUTIVE ACTION ON SB 196

02:03:57 **Motion:** Sen. Arntzen moved that **SB 196 DO PASS**.

02:04:05 Mr. Walker
EXHIBIT(bus32a06)

02:04:42 **Motion:** Sen. Arntzen moved that **SB 196 BE AMENDED**.

Discussion:

02:05:54 Sen. Connell

02:06:56 **Vote:** Motion carried unanimously by voice vote.

02:07:06 **Motion:** Sen. Arntzen moved that **SB 196 DO PASS AS AMENDED**.

Discussion:

02:07:27 Sen. Brown
02:08:27 Chairman Buttrey
02:09:23 Sen. Facey
02:09:55 Chairman Buttrey
02:10:08 Sen. Brown

02:10:19 **Vote:** Motion carried 8-2 by roll call vote with Sen. Brown and Sen. Vance voting no.

EXECUTIVE ACTION ON SB 208

02:10:35 **Motion:** Sen. Arntzen moved that **SB 208 DO PASS**.

Discussion:

02:11:43 Sen. Facey
02:13:03 Sen. Stewart-Peregoy

02:16:59 **Vote:** Motion failed 4-6 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting aye.

02:17:35 **Motion/Vote:** Sen. Facey moved that **SB 208 BE TABLED**. Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no.

EXECUTIVE ACTION ON SB 241

02:18:58 **Motion:** Sen. Arntzen moved that **SB 241 DO PASS.**

02:19:29 Chairman Buttrey

02:19:35 Mr. Walker

EXHIBIT(bus32a07)

02:20:39 **Motion/Vote:** Sen. Buttrey moved that **SB 241 BE AMENDED.** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no.

02:22:10 **Motion:** Sen. Arntzen moved that **SB 241 DO PASS AS AMENDED.**

Discussion:

02:22:18 Sen. Stewart-Peregoy

02:24:41 Sen. Facey

02:26:07 Sen. Brown

02:26:27 Chairman Buttrey

02:28:05 Sen. Connell

02:29:12 Chairman Buttrey

02:29:40 Sen. Facey

02:30:37 Chairman Buttrey

02:30:47 Sen. Stewart-Peregoy

02:32:25 Chairman Buttrey

02:32:33 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no.

EXECUTIVE ACTION ON SB 244

02:33:22 **Motion:** Sen. D. Brown moved that **SB 244 DO PASS.**

Discussion:

02:34:00 Sen. Brown

02:34:25 Sen. Arntzen

02:34:36 Chairman Buttrey

02:34:41 Sen. Connell

02:35:29 Sen. Whitford

02:36:56 Sen. Brown

02:37:50 Chairman Buttrey

02:38:42 Sen. Brown

02:39:17 **Vote:** Motion carried 7-3 by roll call vote with Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no.

Committee Business:

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| 02:40:19 | Sen. Facey |
| 02:41:04 | Chairman Buttrey |
| 02:41:26 | Sen. Arntzen |
| 02:41:33 | Chairman Buttrey |

ADJOURNMENT

Adjournment: 10:43 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus32aad.pdf](#))